UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,994	07/21/2003	Graham A. Wheeler	30835/303114	5501

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EXAMINER
TO, BAOTRAN N

ART UNIT	PAPER NUMBER
2135	

MAIL DATE	DELIVERY MODE
10/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/623,994	WHEELER, GRAHAM A.
Office Action Summary	Examiner	Art Unit	
	Baotran N. To	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 August 2007_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-8 and 19-30_ is/are pending in the application.

4a) Of the above claim(s) _9-18 and 31-38(Canceled)_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-8 and 19-30_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office action is responsive to the Applicant's Amendment filed 08/20/2007.

Claims 1, 7, 19-23, 26-27 and 30 are amended.

Claims 9-18 and 31-38 are canceled.

Claims 1-8 and 19-30 remain for examination.

Response to Arguments

2.   Applicant's arguments filed 08/20/2007 have been fully considered but they are

not persuasive.

Applicant argues, "Claims 1 and 23, Yeager [0017] [0019] and [0164] do not

disclose an embodiment of generating one or more cryptographic keys associated with

a namespace for the purpose of creating an authority" (Page 2 of Remarks).

Examiner respectfully disagrees with this argument. Yeager explicitly discloses

generating one or more cryptographic keys (i.e., public keys) associated with a

namespace (i.e., peer, URIs) (paragraphs 0017, 0019 and 0164); and creating an

authority (i.e., peer identity, UUID) using one of the cryptographic keys (paragraph

0162). Please note that Examiner is not trying to interpret the invention but is merely

trying to interpret the claim language in its broadest and reasonable meaning. The

examiner will not interpret to read narrowly the claim language to read exactly from the

specification, but will interpret the claim language in the broadest reasonable

interpretation in view of the specification.

Applicant further argues, "Yeager [0162] does not disclose creating an authority using one of the cryptographic keys for use in enabling lookups between connected devices" (Page 2 of Remarks).

In response to applicant's arguments, the recitation "for use in enabling lookups between connected devices has not been given patentable weight because the recitation occurs in the preamble." A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Applicant further argues, "Yeager [0152] discusses an overall architecture of peer groups, peer identities, and uniqueness of certificates issued to peers. It does not disclose enabling a namespace (identity) to resolve to the authority created in the earlier steps of Claims 1 and 23" (Page 2 of Remarks).

Examiner respectfully disagrees with this contention. Yeager clearly discloses "In one embodiment, for a peer to be authenticated in a peer group, a peer identity may be required. In one embodiment, a peer identity may be unique across all peers. In addition, certificates issued to a peer may have a unique user identifier (UUID). For X.509 certificates this is an X.500 distinguished name that is unique across the Internet" (Paragraph 0152).

Applicant further argues, "Yeager [203] discusses an embodiment of using a UUID as part of a peer name in a peer-to-peer platform. It does not disclose how the name is used in a name resolution protocol using multiple levels of indirection for resolution" (Page 3 of Remarks).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the name is used in a name resolution protocol using multiple levels of indirection for resolution) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant further argues, "Claim 19, Yeager [0017] and [0162] do not disclose an embodiment of generating one or more cryptographic keys associated with a namespace for the purposes of creating an authority" (Page 4 of Remarks).

Examiner respectfully disagrees with applicant. As explained above, Yeager explicitly discloses the step of generating one or more cryptographic keys (i.e., public keys) associated with a namespace (i.e., peer, URIs) (paragraphs 0017, 0019 and 0164).Furthermore, Yeager discloses the step of creating an authority (i.e., peer identity, UUID) using one of the cryptographic keys (paragraph 0162). Therefore, Claims 1-8 and 19-30 are anticipated by Yeager.

For at least the above reasons, it is believed that the rejection is maintained.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-8 and 19-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Yeager et al. (U.S. Patent Application Publication 2003/0070070 A1) hereinafter Yeager.

Regarding Claims 1 and 23, Yeager discloses a method of enabling a lookup between connected devices (Figures 1A and 1B), the method comprising:

generating one or more cryptographic keys (i.e., public keys) associated with a namespace (i.e., peer, URIs) (paragraphs 0017, 0019 and 0164);

creating an authority (i.e., peer identity, UUID) using one of the cryptographic keys (paragraph 0162);

enabling one or more namespaces to refer to the authority via requesting authorities associated with the one or more namespaces to issue a peer-to-peer type resolution so that names of the namespaces resolve to the authority (paragraphs 0152 and 0164); and

for any other namespaces to which communication is desired, issuing a resolution that names the authority (paragraph 0203) and one or more names

associated with the other namespaces to resolve to one or more of the other authorities (paragraphs 0162, 0164, and 0203).

Regarding Claims 2 and 24, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses wherein the connected devices are part of a peer-to-peer network cloud (Figures 1A, 1B, 2A, and 2B).

Regarding Claims 3 and 25, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses wherein the peer-to-peer type resolution means that for one or more namespaces $S.sub.1, S.sub.2 \ldots S.sub.N$ with names $N.sub.1, N.sub.2 \ldots N.sub.N$ for which communication and referencing is desired a request to authorities is made for the namespaces to issue $([S.sub.1] N.sub.1) \rightarrow A, ([S.sub.2].N. sub.2) \rightarrow A \ldots ([S.sub.N].N.sub.N). \rightarrow A$ so that the names $N.sub.1, N.sub.2 \ldots N.sub.N$ resolve to the authority (paragraphs 0152 and 0164).

Regarding Claims 4 and 26, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses for any services, publishing the authority and a service name to receive an end result that provides data (paragraphs 0233-0234).

Regarding Claims 5 and 27, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses for any services, publishing the authority and a service name to receive an IP address, a protocol name and a port (paragraph 0199).

Regarding Claims 6 and 28, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses dynamically changing one or more addresses associated with the authority via delegating the authority to another name associated with one or more added addresses (paragraphs 0203 and 0311).

Regarding Claims 7 and 29, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses wherein the lookup resolves to one of arbitrary data, hosts and services (paragraph 0372).

Regarding Claims 8 and 30, Yeager discloses the limitations of Claims and 23 above. Yeager further discloses wherein creating the authority includes performing a hash of the cryptographic key, the cryptographic key being a public key from a private key-public key pair (paragraph 0162).

Regarding Claim 19, Yeager discloses a method of generating a data structure for implementing a name resolution protocol, comprising: generating a first field comprising an authority component (i.e., CA) associated with a public key (i.e., public keys), the public key being part of a private key-public key pair (paragraphs 0017 and 0162); and

generating a second field a name component (peer to peer associated with a namespace (i.e., peer, URIs) of the owner of the private key-public key pair, wherein the

authority component and the name component are capable of resolving to a second

authority or to an address of a machine (paragraphs 0017 and 0164).

Regarding Claim 20, Yeager discloses the limitations of Claim 19 above. Yeager

further discloses wherein the authority component and the name component are

capable of resolving to a port number, protocol name, and IP address (paragraph 0199).

Regarding Claim 21, Yeager discloses the limitations of Claim 19 above. Yeager

further discloses wherein the authority component and the name component are

capable of resolving to arbitrary data (paragraph 0372).

Regarding Claim 22, Yeager discloses the limitations of Claim 19 above. Yeager

further discloses retrieving one or more from the group an IP address, a protocol name,

and a port number from a cache (paragraphs 0219, 0233 and 0315).

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

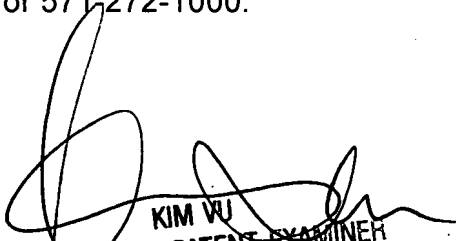mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baotran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BT
10/22/2007

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